

# TRANSMITTAL FORM

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Total Number of Pages in This Submission

29

Application Number

10/691,434

Filing Date

October 23, 2003

First Named Inventor

Osamu YAMAMOTO

Art Unit

1793

Examiner Name

W. A. Langel

Attorney Docket Number

251002008830

## ENCLOSURES (Check all that apply)

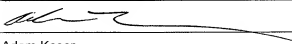
- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Adam Keser		
Date	May 11, 2010	Reg. No.	54,217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Osamu YAMAMOTO (previously Osamu  
MIYAGAWA)

Application No.: 10/691,434

Confirmation No.: 2141

Filed: October 23, 2003

Art Unit: 1793

For: CRYSTALLINE TURBOSTRATIC BORON  
NITRIDE POWDER AND METHOD FOR  
PRODUCING SAME

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Examiner: Wayne A. Langel

**PETITION FOR INVENTOR NAME CHANGE UNDER 37 CFR § 1.182**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Osamu YAMAMOTO, the sole inventor in this application, lawfully changed his name to Osamu MIYAGAWA prior to the filing of the above captioned reissue application. The initial declaration, executed December 25, 2003 and filed January 30, 2004, was filed under the name Osamu MIYAGAWA. The declaration indicates that the inventor had changed his name from YAMAMOTO to MIYAGAWA and further declares that Osamu MIYAGAWA and Osamu YAMAMOTO are the same person.

During the prosecution of this reissue application, Mr. MIYAGAWA legally reverted to his former name, Osamu YAMAMOTO. Four Supplemental Declarations were filed to correct the record to indicate that the inventor's name has changed from Osamu MIYAGAWA to Osamu YAMAMOTO, and that Mr. YAMAMOTO is, and was, the sole owner of U.S. Patent No. 6,306,358 from which this reissue application originated. A copy of each of the declarations is attached hereto.

In support of this petition, attached hereto is a declaration by the inventor, Osamu YAMAMOTO, along with two certified Certificates of Personal Matter. The first Certificate of Personal Matter indicates that Mr. YAMAMOTO was adopted by the MIYAGAWA family on June 4, 2003, and that he thereby changed his name to Osamu MIYAGAWA. The second Certificate of Personal Matter indicates that the adoption was dissolved on December 5, 2007, and that as a result of the dissolution, the inventor reverted to his original name—Osamu YAMAMOTO. An Application Data Sheet (37 CFR 1.76) showing the inventor's current legal name is also attached.

Applicant submits this petition in accordance with 37 CFR 1.182, and petitions the U.S. Patent and Trademark Office to correct their records to reflect that the inventor's legal name is Osamu YAMAMOTO. Mr. YAMAOMTO further petitions the U.S. Patent and Trademark Office to ensure that any patent to issue from this application is issued in the name of Osamu YAMAMOTO.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **25100208830**.

Dated: May 11, 2010

Respectfully submitted,

By 

Adam Keser

Registration No. 54,217  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 400  
McLean, Virginia 22102  
(703) 760-7301

## **Supplemental Application Data Sheet**

### **Application Information**

Application number::	<u>10/691,434</u>
Filing Date::	<u>10/23/03</u>
Application Type::	Reissue
Subject Matter::	Utility
Suggested Group Art Unit::	1793
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	CRYSTALLINE TURBOSTRATIC BORON NITRIDE POWDER AND METHOD FOR PRODUCING SAME
Attorney Docket Number::	251002008830
Request for Early Publication?::	No
Request for Non-Publication?::	No
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

### **Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Osamu
Family Name::	<u>MIYAGAWA YAMAMOTO</u>
City of Residence::	Aichi
Country of Residence::	Japan

Street of mailing address:: 4-1 Oaza Daimon  
Inuyama  
City of mailing address:: Aichi  
Country of mailing address:: Japan

**Correspondence Information**

Correspondence Customer Number:: 25227

**Representative Information**

Representative Customer Number:: 25227

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
10/691,434	Reissue of	09/089,018	06/02/98

**Foreign Priority Information**

**Assignee Information**

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand carried to: Commissioner for Patents, Washington, D.C. 20231, on January 29,  
2004

  
S. Mason

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Osamu MIYAGAWA [formerly Osamu  
YAMAMOTO]

Serial No.: To be assigned (Reissue of Serial  
No. 09/089,018)

Filing Date: October 23, 2003

For: CRYSTALLINE TURBOSTRATIC  
BORON NITRIDE POWDER AND  
METHOD FOR PRODUCING THE  
SAME

Examiner: To be assigned (formerly W.  
Langel in Serial No. 09/089,018)

Group Art Unit: To be assigned

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY  
BY INVENTOR

Commissioner for Patents  
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I  
am the original and sole inventor of the subject matter that is described and claimed in U.S.  
Patent No. 6,306,358 B1, granted on October 23, 2001.

The name of the inventor on U.S. Patent No. 6,306,358 B1 is "Osamu YAMAMOTO." I  
have changed my name to "Osamu MIYAGAWA." Even though the reissue application is filed

in the name of "Osamu MIYAGAWA," I am the same person as the person named "Osamu YAMAMOTO" on U.S. Patent No. 6,306,358 B1.

I affirmatively state that U.S. Patent No. 6,306,358 B1 is not assigned and I am the undivided owner of U.S. Patent No. 6,306,358 B1.

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than I had the right to claim in the patent. At least one error upon which reissue is based on the failure to file a continuation application directed to some or all of claims 46-53, 55-59, 61-63 and 65-85 in the parent application (Serial No. 09/089,018).

All errors being corrected in this reissue application up to the time of execution and filing of this Declaration arose without any deceptive intent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a) and (b).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**Application No.** 9-21052      **Country** Japan

**Filing Date** 20/01/1997

## POWER OF ATTORNEY

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Amii (Reg No. 48,199)	Randolph Ted Apple (Reg No. 36,429)
Mehran Arjomand (Reg No. 48,231)	Laurie A. Axford (Reg No. 35,053)
Erwin J. Basinski (Reg No. 34,773)	Shantanu Basu (Reg No. 43,318)
Richard R. Batt (Reg No. 43,485)	Vincent J. Belusko (Reg No. 30,820)
Jonathan Bockman (Reg No. 45,640)	Kimberly A. Bolin (Reg No. 44,546)
Barry E. Bretschneider (Reg No. 28,055)	Irina E. Britva (Reg No. 50,498)
Tyler S. Brown (Reg No. 36,465)	Nicholas Buffinger (Reg No. 39,124)
A. Randall Camacho (Reg No. 46,595)	Mark R. Carter (Reg No. 39,131)
Robert K. Cerpa (Reg No. 39,933)	Peng Chen (Reg No. 43,543)
Alex Chartove (Reg No. 31,942)	Thomas Chuang (Reg No. 44,616)
Thomas E. Ciotti (Reg No. 21,013)	Cara M. Coburn (Reg No. 46,631)
Matthew M. D'Amore (Reg No. 42,457)	Raj S. Davé (Reg No. 42,465)
Peter Davis (Reg No. 36,119)	David Devernore (Reg No. P-50,128)
Karen B. Dow (Reg No. 29,684)	Stephen C. Durant (Reg No. 31,506)
Richard R. Eckman (Reg No. 42,504)	Elisabeth M. Evertsz (Reg No. 50,304)
Carolyn A. Favorito (Reg No. 39,183)	David L. Fehrman (Reg No. 28,600)
Hector Gallegos (Reg No. 40,614)	Thomas George (Reg No. 45,740)
Deborah S. Gladstein (Reg No. 43,636)	Debra J. Glaister (Reg No. 33,888)
Kenneth R. Glick (Reg No. 28,612)	Bruce D. Grant (Reg No. 47,608)
John U. Han (Reg No. 45,565)	Douglas G. Hodder (Reg No. 41,840)
Alan S. Hodes (Reg No. 38,185)	Charles D. Holland (Reg No. 35,196)
Arthur S. Hsieh (Reg No. 48,247)	Jill A. Jacobson (Reg No. 40,030)
Wayne Jaeschke, Jr. (Reg No. 38,503)	Madeline I. Johnston (Reg No. 36,174)
Parisa Jorjani (Reg No. 46,813)	Ararat Kapouytian (Reg No. 40,044)
Richard C. Kim (Reg No. 40,046)	Cameron A. King (Reg No. 41,897)
Lawrence B. Kong (Reg No. P49,043)	Kawai Lau (Reg No. 44,461)
Glenn Kubota (Reg No. 44,197)	Rimas T. Lukas (Reg No. 46,451)
Michael J. Mauriel (Reg No. 44,226)	Robert S. McArthur (Reg No. 45,674)
Gladys H. Monroy (Reg No. 32,430)	Phillip A. Morin (Reg No. P-45,926)
Kate H. Murashige (Reg No. 29,959)	Martin M. Noonan (Reg No. 44,264)
Catherine M. Polizzi (Reg No. 40,130)	Phillip Reilly (Reg No. 41,415)
Robert Saltzberg (Reg No. 36,910)	Robert E. Scheid (Reg No. 42,126)
Debra A. Shetka (Reg No. 33,309)	Terri Shieh-Newton (Reg No. 47,081)
David Smith (Reg No. 39,839)	Kevin R. Spivak (Reg No. 43,148)
Stanley H. Thompson (Reg No. 45,160)	Thomas L. Trefft (Reg No. P48,279)
Brenda J. Wallach (Reg No. 45,193)	Michael R. Ward (Reg No. 38,651)
E. Thomas Wheelock (Reg No. 28,825)	Todd W. Wight (Reg No. 45,218)
Eric Witt (Reg No. 44,408)	Frank Wu (Reg No. 41,386)



David T. Yang (Reg No. 44,415)  
George C. Yu (Reg No. 44,418)

Peter J. Yim (Reg No. 44,417)  
Karen R. Zachow (Reg No. 46,332)

Please direct all communications to:


Raj S. Davé, Ph.D., J.D.  
Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 300  
McLean, Virginia 22102

Please direct all telephone calls to Raj S. Davé at (703) 760-7755.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dec. 25, 2003

Date

  
Name: Osamu MIYAGAWA  
Residence: Inuyama, Aichi, Japan  
Citizenship: Japanese  
Post Office Address: 4-1 Oaza Daimon, Inuyama,  
Aichi, Japan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:  
Osamu YAMAMOTO

Serial No.: 10/691,434

Filing Date: October 23, 2003

For: CRYSTALLINE TURBOSTRATIC  
BORON NITRIDE POWDER AND  
METHOD FOR PRODUCING SAME

Examiner: W. A. Langel

Group Art Unit: 1754

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION AND POWER OF  
ATTORNEY BY INVENTOR**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I am the original and sole inventor of the subject matter that is described and claimed in U.S. Patent No. 6,306,358 B1, granted on October 23, 2001.

The name of the inventor on U.S. Patent No. 6,306,358 B1 is "Osamu YAMAMOTO." I once changed my name to "Osamu MIYAGAWA." Even though the reissue application was filed in the name of "Osamu MIYAGAWA," I am the same person as the person named "Osamu YAMAMOTO" on U.S. Patent No. 6,306,358 B1, now returned to "Osamu YAMAMOTO".

I affirmatively state that U.S. Patent No. 6,306,358 B1 is not assigned and I am the undivided owner of U.S. Patent No. 6,306,358 B1.

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than I had the right to claim in the patent. At least one error on which the reissue is based is described as follows: Claim 67 of the original application, which is directed to a

crystalline turbostratic boron nitride includes an additional, non-necessary limitation that the crystalline turbostratic boron nitride is produced by any one of the methods of claims 43-48, which is corrected by the addition of claim 7.

All errors being corrected in this reissue application up to the time of execution and filing of this Declaration arose without any deceptive intent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a) and (b).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**Application No. 9-21052**

**Country Japan**

**Filing Date 20/01/1997**

## POWER OF ATTORNEY

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Amii (Reg No. 48,199)	Randolph Ted Apple (Reg No. 36,429)
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Jonathan Bockman (Reg No. 45,640)	Kimberly A. Bolin (Reg No. 44,546)
Barry E. Bretschneider (Reg No. 28,055)	Irina E. Britva (Reg No. 50,498)
Tyler S. Brown (Reg No. 36,465)	Nicholas Buffinger (Reg No. 39,124)
A. Randall Camacho (Reg No. 46,595)	Mark R. Carter (Reg No. 39,131)
Robert K. Cerpa (Reg No. 39,933)	Peng Chen (Reg No. 43,543)
Alex Chartove (Reg No. 31,942)	Thomas Chuang (Reg No. 44,616)
Thomas E. Ciotti (Reg No. 21,013)	Cara M. Coburn (Reg No. 46,631)
Matthew M. D'Amore (Reg No. 42,457)	Raj S. Davé (Reg No. 42,465)
Peter Davis (Reg No. 36,119)	David Devernoe (Reg No. P-50,128)
Karen B. Dow (Reg No. 29,684)	Stephen C. Durant (Reg No. 31,506)
Richard R. Eckman (Reg No. 42,504)	Elisabeth M. Evertsz (Reg No. 50,304)
Carolyn A. Favorito (Reg No. 39,183)	David L. Fehrman (Reg No. 28,600)
Hector Gallegos (Reg No. 40,614)	Thomas George (Reg No. 45,740)
Deborah S. Gladstein (Reg No. 43,636)	Debra J. Glaister (Reg No. 33,888)
Kenneth R. Glick (Reg No. 28,612)	Bruce D. Grant (Reg No. 47,608)
Johnney U. Han (Reg No. 45,565)	Douglas G. Hodder (Reg No. 41,840)
Alan S. Hodes (Reg No. 38,185)	Charles D. Holland (Reg No. 35,196)
Arthur S. Hsieh (Reg No. 48,247)	Jill A. Jacobson (Reg No. 40,030)
Wayne Jaeschke, Jr. (Reg No. 38,503)	Madeline I. Johnston (Reg No. 36,174)
Parisa Jorjani (Reg No. 46,813)	Ararat Kapouytian (Reg No. 40,044)
Richard C. Kim (Reg No. 40,046)	Cameron A. King (Reg No. 41,897)
Lawrence B. Kong (Reg No. P49,043)	Kawai Lau (Reg No. 44,461)
Glenn Kubota (Reg No. 44,197)	Rimas T. Lukas (Reg No. 46,451)
Michael J. Mauriel (Reg No. 44,226)	Robert S. McArthur (Reg No. 45,674)
Gladys H. Monroy (Reg No. 32,430)	Philip A. Morin (Reg No. P-45,926)
Kate H. Murashige (Reg No. 29,959)	Martin M. Noonan (Reg No. 44,264)
Catherine M. Polizzi (Reg No. 40,130)	Phillip Reilly (Reg No. 41,415)
Robert Saltzberg (Reg No. 36,910)	Robert E. Scheid (Reg No. 42,126)
Debra A. Shetka (Reg No. 33,309)	Terri Shieh-Newton (Reg No. 47,081)
David Smith (Reg No. 39,839)	Kevin R. Spivak (Reg No. 43,148)
Stanley H. Thompson (Reg No. 45,160)	Thomas L. Treffert (Reg No. P48,279)
Brenda J. Wallach (Reg No. 45,193)	Michael R. Ward (Reg No. 38,651)
E. Thomas Wheelock (Reg No. 28,825)	Todd W. Wight (Reg No. 45,218)
Eric Witt (Reg No. 44,408)	Frank Wu (Reg No. 41,386)

David T. Yang (Reg No. 44,415)  
George C. Yu (Reg No. 44,418)

Peter J. Yim (Reg No. 44,417)  
Karen R. Zachow (Reg No. 46,332)

Please direct all communications to:

Raj S. Davé, Ph.D., J.D.  
Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 300  
McLean, Virginia 22102

Please direct all telephone calls to Raj S. Davé at (703) 760-7755.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jan 30, 2006  
Date

Osamu Yamamoto  
Name: Osamu YAMAMOTO  
Residence: Inuyama, Aichi, Japan  
Citizenship: Japanese  
Post Office Address: 4-1 Oaza Daimon, Inuyama,  
Aichi, Japan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:  
Osamu YAMAMOTO

Serial No.: 10/691,434

Filing Date: October 23, 2003

For: CRYSTALLINE TURBOSTRATIC  
BORON NITRIDE POWDER AND  
METHOD FOR PRODUCING SAME

Examiner: Wayne A. Langel

Group Art Unit: 1754

SECOND SUPPLEMENTAL REISSUE APPLICATION DECLARATION  
AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I am the original and sole inventor of the subject matter that is described and claimed in U.S. Patent No. 6,306,358 B1, granted on October 23, 2001, and for which reissue is sought.

This declaration supplements the reissue declaration I executed on June 30, 2006. As explained in my prior declaration, my name has reverted to "Osamu Yamamoto," so I no longer request correction of my name on U.S. Patent No. 6,306,358 B1.

I affirmatively state that U.S. Patent No. 6,306,358 B1 is not assigned that and I am the sole owner of U.S. Patent No. 6,306,358 B1.

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than I had the right to claim in the patent. At least one error on which the reissue is based is described as follows: In the prosecution of the original patent my attorneys and I

inadvertently failed to present claims directed to the subject matter disclosed in Examples 6 and 7 of the specification. The failure to claim this omitted subject matter resulted in my claiming less than I am entitled to claim. New claims 7-16 are directed to that omitted subject matter. There is no error to be corrected in original claims 1-6.

All errors being corrected in this reissue application up to the time of execution and filing of this Declaration arose without any deceptive intent on my part.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a) and (b).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Application No. 9-21052      Country Japan      Filing Date 20/01/1997

#### **POWER OF ATTORNEY**

I hereby revoke all powers of attorney hereby given by me and appoint the attorneys and agents under Customer No. 25227 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Please direct all communications to:

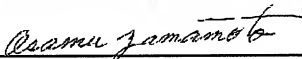
Barry E. Bretschneider  
Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 400  
McLean, Virginia 22102

Please direct all telephone calls to Barry D. Bretschneider at (703) 760-7743.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sept. 24, 2007

Date

  
Name: Osamu YAMAMOTO

Residence: Inuyama, Aichi, Japan

Citizenship: Japanese

Post Office Address: 4-1 Oaza Daimon, Inuyama,  
Aichi, Japan



PATENT  
Docket No. 251002008830

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:  
Osamu YAMAMOTO

Serial No.: 10/691,434

Filing Date: October 23, 2003

For: CRYSTALLINE TURBOSTRATIC  
BORON NITRIDE POWDER AND  
METHOD FOR PRODUCING SAME

Examiner: Wayne A. Langel

Group Art Unit: 1793

Confirmation No. 2141

THIRD SUPPLEMENTAL REISSUE APPLICATION DECLARATION  
AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I am the original, first and sole inventor of the subject matter that is described and claimed in U.S. Patent No. 6,306,358 B1, granted on October 23, 2001, and for which reissue is sought.

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I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than I had the right to claim in the patent. At least one error on which the reissue is based is described as follows: In the prosecution of the original patent my attorneys and I

inadvertently failed to present claims directed to the crystalline turbostratic boron nitride products disclosed in Examples 6 and 7 of the specification. In particular, my patent attorneys and I inadvertently failed to claim crystalline turbostratic boron nitride products exhibiting the X-ray diffraction patterns depicted in FIG. 7 of this patent and explained at column 19, lines 18-37. The failure to claim this omitted subject matter resulted in my claiming less than I am entitled to claim in granted claims 1-6, which are erroneous because of this omission. New claims 7-20 are directed to that omitted subject matter.

All errors being corrected in this reissue application up to the time of execution and filing of this Declaration arose without any deceptive intent on my part.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a) and (b).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Application No. 9-21052

Country Japan

Filing Date 20/01/1997

#### POWER OF ATTORNEY

I hereby revoke all powers of attorney hereby given by me and appoint the attorneys and agents under Customer No. 25227 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Please direct all communications to:

Barry E. Bretschneider  
Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 400  
McLean, Virginia 22102

Please direct all telephone calls to Barry E. Bretschneider at (703) 760-7743.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

April 14, 2009

Date

Osamu Yamamoto  
Name: Osamu YAMAMOTO  
Residence: Inuyama, Aichi, Japan  
Citizenship: Japanese  
Post Office Address: 4-1 Oaza Daimon, Inuyama-shi,  
Aichi-ken, Japan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:  
Osamu YAMAMOTO

Serial No.: 10/691,434

Filing Date: October 23, 2003

For: CRYSTALLINE TURBOSTRATIC  
BORON NITRIDE POWDER AND  
METHOD FOR PRODUCING SAME

Examiner: Wayne A. Langel

Group Art Unit: 1793

Confirmation No. 2141

**FOURTH SUPPLEMENTAL REISSUE APPLICATION DECLARATION  
AND POWER OF ATTORNEY**

Mail Stop - AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I am the original, first and sole inventor of the subject matter that is described and claimed in U.S. Patent No. 6,306,358 B1, granted on October 23, 2001, and for which reissue is sought.

This declaration supplements the reissue declaration I executed on June 30, 2006. As explained in my prior declaration, my name has reverted to "Osamu Yamamoto," so I no longer request correction of my name on U.S. Patent No. 6,306,358 B1.

I affirmatively state that U.S. Patent No. 6,306,358 B1 is not assigned that and I am the sole owner of U.S. Patent No. 6,306,358 B1.

I believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than I had the right to claim in the patent. At least one error on which the reissue is based is described as follows: The original patent claims only a method of producing a crystalline turbostratic boron nitride, while the reissue application adds product claims directed to crystalline turbostratic boron nitride products. Accordingly, the scope of the claims has been broadened because a party could not necessarily be sued for infringement of the product based on the claims of the original patent if it were made by a method different from that originally claimed. The newly added claims should be considered broadening claims because the patent owner would be able to sue any party for infringement of the product claims who previously could not have been sued for infringement of the method claims.

It is my understanding that the addition of a claim in the reissue application that includes subject matter not covered by the patent claims enlarges the scope of the patent claims. The newly added claims in the reissue application are broader than the original claims because the newly added claims contain within their scope conceivable products which would not have infringed the original claims of the patent. A claim which covers something that the original claims do not is a broadened claim.

In the prosecution of the original patent my attorneys and I inadvertently failed to present claims directed to the crystalline turbostratic boron nitride products disclosed in Examples 6 and 7 of the specification. In particular, my patent attorneys and I inadvertently failed to claim crystalline turbostratic boron nitride products exhibiting the X-ray diffraction patterns depicted in FIG. 7 of this patent and explained at column 19, lines 18-37. The failure to claim this omitted subject matter resulted in my claiming less than I am entitled to claim in granted claims

1-6, which are erroneous because of this omission. New claims 7-20 are directed to that omitted subject matter.

All errors being corrected in this reissue application up to the time of execution and filing of this Declaration arose without any deceptive intent on my part.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to patentability in accordance with 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**Application No.** 9-21052      **Country** Japan      **Filing Date** 20/01/1997

**POWER OF ATTORNEY**

I hereby revoke all powers of attorney hereby given by me and appoint the attorneys and agents under Customer No. 25227 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Please direct all communications to:

Barry E. Bretschneider  
Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 400  
McLean, Virginia 22102

Please direct all telephone calls to Barry E. Bretschneider at (703) 760-7743.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

November 2, 2009 Osamu Yamamoto

Date

Name: Osamu YAMAMOTO

Residence: Inuyama, Aichi, Japan

Citizenship: Japanese

Post Office Address: 4-1 Oaza Daimon, Inuyama-shi,  
Aichi-ken, Japan

Docket No.: 251002008830  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of:**  
**Osamu YAMAMOTO**

**Application No.: 10/691,434**

**Confirmation No.: 2141**

**Filed: October 23, 2003**

**Art Unit: 1793**

**For: CRYSTALLINE TURBOSTRATIC BORON  
NITRIDE POWDER AND METHOD FOR  
PRODUCING SAME**

**Examiner: Wayne A. Langel**

**DECLARATION BY INVENTOR FOR SUBMISSION WITH PETITION FOR INVENTOR  
NAME CHANGE UNDER 37 CFR § 1.182**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As the below named sole inventor, I hereby declare that:

My lawful name is Osamu YAMAMOTO. Prior to filing reissue Application No. 10/691,434, I lawfully changed my name from Osamu YAMAMOTO to Osamu MIYAGAWA and submitted said application under the name Osamu MIYAGAWA. During the prosecution of the application, I lawfully reverted to my former name, Osamu YAMAMOTO. I declare that I have been and am currently using the name Osamu YAMAMOTO as my legal entity.

I have attached hereto a certified copy of a certificate of name change indicating I changed my legal name from Osamu MIYAGAWA to Osamu YAMAMOTO.



I further declare that my residence, post office address and citizenship are as stated below next to my name. I am the original and sole inventor of the subject matter that is described and claimed in U.S. Patent Application No. 10/691,434 and U.S. Patent No. 6,306,358 from which said reissue application came.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

march 30, 2010  
Date

Osamu Yamamoto  
Name: Osamu YAMAMOTO  
Residence: Inuyama, Aichi, Japan  
Citizenship: Japanese  
Post Office Address: 4-1 Oaza Daimon, Inuyama, Aichi, Japan

Home Registration Name	4-1 Oaza Daimon, Inuyama, Aichi YAMAMOTO, Osamu
Family register Formation of family register	[date of formation of family register] Dec. 7, 2005
Person registered	[Name] Osamu [Classification of mate] Husband [Birth Day] June 6, 1947 [Father] YAMAMOTO, Kiichi [Mother] YAMAMOTO, Michi [Relation] First-born son
Status Birth	[Birthday] June 6, 1947 [Place of birth] Inuyama-cho, Niwa-gun, Aichi-ken [Date of notification] June 19, 1947 [Person who noticed] Father
Marriage	[Date of marriage] June 1, 1992 [Name of mate] MIYAGAWA, Emi
Dissolution of adoption	[Date of dissolution] Dec. 5, 2007 [Name of adoptive father] MIYAGAWA, Masahiko [Name of adoptive mother] MIYAGAWA, Shizuka [Date of notification] 7 Dec. 2005 [Received person] Mayer of Kani-shi, Aichi-ken [Former family register] 3-96 Hanyugaoka, Kani-shi, Gifu-ken MIYAGAWA, Osamu
	below: blank

Publication No. 00310C30102528328

This document certifies all the matters about one person of registered family.

Date: March 30, 2010

Mayer of Inuyama-shi, Aichi-ken

本籍 氏名	愛知県犬山市字大門4番地1 山本 修
戸籍事項 戸籍編製	【編製日】平成17年12月7日
戸籍に記録されている者	<p>【名】修</p> <p>【生年月日】昭和22年6月6日      【配偶者区分】夫</p> <p>【父】山本喜市</p> <p>【母】山本みち</p> <p>【続柄】長男</p>
身分事項 出生	<p>【出生日】昭和22年6月6日</p> <p>【出生地】愛知県丹羽郡大山町</p> <p>【届出日】昭和22年6月19日</p> <p>【届出人】父</p>
婚姻	<p>【婚姻日】平成4年6月1日</p> <p>【配偶者氏名】宮川恵美</p>
養子離縁	<p>【離縁日】平成17年12月5日</p> <p>【養父氏名】宮川真彦</p> <p>【養母氏名】宮川静香</p> <p>【送付を受けた日】平成17年12月7日</p> <p>【受理者】岐阜県可見市長</p> <p>【従前戸籍】岐阜県可見市羽生ケ丘三丁目9番地 宮川修</p>
以下余白	

発行番号 00310C30102528328

これは、戸籍中の一部の者について記録されている事項の全部を証明した書面である。

平成22年3月30日

愛知県犬山市長 田中 志典



Removal from Home Registration	(1-1)	Certificate of personal matter
Legal domicile Name	85 Aza-Tokoken, Oaza-Inuyama, Inuyama, Aichi YAMAMOTO, Osamu	
Family register Formation of family register Delete of family register	[Date of formation of family register] Feb. 16, 2002 [Reason of revision] Revision under ministerial ordinance of Ministry of Justice No.51 Supplementary Section 2, Paragraph 1 [Date of deletion] June 4, 2003	
Person registered	[Name] Osamu [Birth Day] June 6, 1947 [Classification of mate] Husband [Father] YAMAMOTO, Kiichi [Mother] YAMAMOTO, Michi [Relation] First-born son	
Removal from Register		
Status Birth	[Birthday] June 6, 1947 [Place of birth] Inuyama-cho, Niwa-gun, Aichi-ken [Date of notification] June 19, 1947 [Person who noticed] Father	
Marriage	[Date of marriage] June 1, 1992 [Name of mate] MIYAGAWA, Emi	
Adoption	[Date of adoption] June 4, 2003 [Name of adoptive father] MIYAGAWA, Masahiko [Name of adoptive mother] MIYAGAWA, Shizuka [Family register of adoptive parents] 96 Hanyugaoka, Kani-shi, Gifu-ken MIYAGAWA, Masahiko [New family register] 96 Hanyugaoka, Kani-shi, Gifu-ken MIYAGAWA, Osamu	
	below: blank	

Publication No. 00310C30102732156

This document certifies all the matters about one person of registered family.

Date: March 30, 2010

Mayer of Inuyama-shi, Aichi-ken

この証明書には「すかし」を

除 籍	(1の1) 個 人 事 項 証 明
本 籍	愛知県犬山市大字犬山字東古券85番地
氏 名	山本 修
戸籍事項 戸籍改製 戸籍消除	【改製日】平成14年2月16日 【改製事由】平成6年法務省令第51号附則第2条第1項による改製 【消除日】平成15年6月4日
戸籍に記録されている者	<div>除 籍</div> <p>【名】修 【生年月日】昭和22年6月6日      【配偶者区分】夫 【父】山本喜市 【母】山本みち 【続柄】長男</p>
身分事項 出 生	<p>【出生日】昭和22年6月6日 【出生地】愛知県丹羽郡犬山町 【届出日】昭和22年6月19日 【届出人】父</p>
婚 姻	<p>【婚姻日】平成4年6月1日 【配偶者氏名】宮川恵美</p>
養子縁組	<p>【縁組日】平成15年6月4日 【養父氏名】宮川眞彦 【養母氏名】宮川静香 【養親の戸籍】岐阜県可児市羽生ケ丘三丁目9番地 宮川眞彦 【新本籍】岐阜県可児市羽生ケ丘三丁目9番地</p>
	以下余白

発行番号 00310C30102732156

これは、除籍の一部の者について記録されている事項の全部を証明した書面である。

平成22年3月30日

愛知県犬山市長 田中 志典



この証明書には「すかし」を

1791